

REMARKS

Applicant acknowledges receipt of the Examiner's Office Action dated August 12, 2005. The Summary indicates that the action is non-final. However, page 5 of the Office Action indicates finality. Applicant believes the Office Action is non-final since this is the first Office Action after Applicant filed an RCE with amended claims. However, Applicant requests verification from the Examiner that the Office Action dated August 12, 2005 is non-final.

This Office Action rejected claims 22-41 as being unpatentable over U.S. Patent No. 6,507,950 issued to Tsukidate ("Tsukidate") in view of U.S. Patent No. 6,298,482 issued to Seidman ("Seidman"). Applicant has cancelled claims 22-41 without prejudice in favor of newly added claims 42-57. Applicants respectfully request the Examiner's reconsideration and reexamination of all pending claims.

Newly added independent claim 42 recites

A method comprising:
a set-top receiver receiving first data;
the set-top receiver receiving an electronic program
guide (EPG)
the set-top receiver storing the EPG to a hard disk of
the set-top receiver;
the set-top receiver comparing first data with data of
the EPG;
moving a first portion of the EPG from the hard disk
to a random access memory (RAM) of the set-
top receiver in response to the set-top receiver
identifying a match between the first data and
data of the first portion.

In contrast with cancelled claim 22, independent claim 42 recites "the set-top receiver comparing first data with data of the EPG; moving a first portion of the EPG

from the hard disk to a random access memory (RAM) of the set-top receiver in response to the set-top receiver identifying a match between the first data and the data of the first portion.” These limitations of independent claim 42 were not found in cancelled independent claim 22. Applicant submits that the above-mentioned limitations of independent claim 42 are not taught or fairly suggested in the sections of Tsukidate and Seidman cited in the August 2005 Office Action, either alone or in combination with the remaining limitations of independent claim 42. Accordingly, Applicant submits that independent claim 42 is patentably distinguishable over the cited sections of Tsukidate and Seidman.

Independent claim 47 recites:

A method comprising:
a set-top receiver receiving first data, wherein the
first data identifies a television channel;
the set-top receiver receiving second data, wherein
the second data identifies a program that can
be presented on a television;
the set-top receiver receiving third data, wherein the
third data identifies a time slot;
the set-top receiver receiving an electronic program
guide (EPG)
the set-top receiver storing the EPG to a hard disk
of the set-top receiver;
the set-top receiver comparing the first data with
data of the EPG;
the set-top receiver comparing the second data with
data of the EPG;
the set-top receiver comparing the third data with
data of the EPG
storing a first portion of the EPG from the hard disk
to a random access memory (RAM) of the
set-top receiver in response to the set-top
receiver identifying a match between the
first data and data of the first portion;
storing a second portion of the EPG from the hard
disk to the RAM of the set-top receiver in

response to the set-top receiver identifying a match between the second data and data of the second portion;
storing a third portion of the EPG from the hard disk to the RAM of the set-top receiver in response to the set-top receiver identifying a match between the third data and data of the third portion.

Independent claim 47 contains limitations similar to limitations of independent claim 42 described above. Specifically, independent claim 47 recites “a set-top receiver comparing the first data with data of the EPG” and “storing a first portion of the EPG from the hard disk to a random access memory (RAM) of the set-top receiver in response to the set-top receiver identifying a match between the first data and data of the first portion.” The afore-mentioned limitations of independent claim 47 were not contained in cancelled independent claim 22. Applicant asserts that the afore-mentioned limitations of independent claim 47 are not taught or fairly suggested in the sections of Tsukidate and Seidman which were referenced in the August 2005 Office Action, either alone or in combination with the remaining limitations of independent claim 47. Accordingly, Applicant submits that independent claim 47 is patentably distinguishable over the cited sections of Tsukidate and Seidman.

Independent claim 49 recites:

A method comprising:
a set-top receiver receiving a first set of data, wherein each data of the first set identifies a respective television channel;
the set-top receiver receiving an electronic program guide (EPG)
the set-top receiver storing the EPG to a hard disk of the set-top receiver;

the set-top receiver comparing each data of the first set with data of the EPG;
storing a plurality of first portions of the EPG from the hard disk to a random access memory (RAM) of the set-top receiver in response to the set-top receiver identifying a match between data of the plurality of first portions and respective data of the first set.

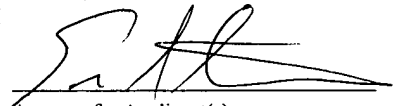
Claim 49 recites “the set-top receiver comparing each data of the first set of data with the EPG; storing a plurality of first portions of the EPG from the hard disk to a random access memory (RAM) of the set-top receiver in response to the set-top receiver identifying a match between data of the plurality of first portions and respective data of the first set.” These limitations of independent claim 49 are similar to the limitations of independent claims 42 and 47 described above. Applicant asserts that the aforementioned limitations of independent claim 49 are not taught or fairly suggested in the cited sections of Seidman or Tsukidate set forth in the August 2005 Office Action, either alone or in combination with the remaining limitation of independent claim 49. Accordingly, Applicant submits that independent claim 49 is patentably distinguishable.

Independent claim 53 recites limitations similar to that set forth in independent claim 42. Specifically, independent claim 53 recites “comparing first data received by the set-top receiver with data of the EPG; storing a first portion of the EPG from the hard disk to a random access memory (RAM) of the set-top receiver in response to the set top receiver identifying a match between the first data and data of the first portion.” Since independent claim 53 recites limitations similar to those of claim 42, it is submitted that independent claim 53 is likewise patentably distinguishable over the cited sections of Tsukidate and Seidman set forth in the Office Action of August 2005.


Independent claim 54 contains limitations similar to the afore-mentioned independent claims. Specifically, independent claim 54 recites “comparing first data received by the set-top receiver with data of the EPG; storing a first portion of the EPG from the hard disk in the RAM in response to identifying a match between the first data and data of the first portion.” Like the independent claims described above, these limitations are not taught or fairly suggested in the sections of Seidman and Tsukidate cited in the 2005 Office Action, either alone or in combination with the remaining limitation of independent Claim 54. As such, independent claim 54 is patentably distinguishable.

The remaining claims depend from the aforementioned independent claims. Insofar as the independent claims have been shown to be patentably distinguishable, it follows that the dependent claims are likewise patentably distinguishable.

Applicant submits that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

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<u>4/6/06</u>	
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Attorney for Applicant(s)	Date of Signature

Respectfully submitted,


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